

I write on behalf of the following Defendants in the above-referenced matter: Governor Greg Abbott, The State of Texas, Texas Health and Human Services Commission, Texas Department of State Health Services, Phil Wilson, and John William Hellerstedt MD (collectively, the “State Defendants”). Earlier today, Your Honor issued an order setting an in-person hearing for tomorrow at 10:30 A.M. regarding Plaintiffs’ motion for an emergency temporary restraining order. I write to request the Court’s leave to appear via telephone at this hearing. Plaintiffs’ counsel and counsel for the remaining Defendants—Mayor Sylvester Turner and Houston First Corporation (the “Houston Defendants”)—have consented to this request. I am asking to appear telephonically for three main reasons.

First, Plaintiffs' motion for emergency relief focuses on the Houston Defendants' decision to cancel the State Republican Convention.¹ This motion appears to have nothing to do with the State Defendants or with any of the claims Plaintiffs asserted against the State Defendants in this action. Given the nature of this motion, the State Defendants' counsel expects to have minimal (if any) participation at tomorrow's hearing.

Second, the State Defendants' counsel has a telephone conference scheduled on July 15, 2020 at 9:30 A.M. before Judge Edison in the matter *Daywalker v. University of Texas Medical Branch*, Case 3:20-cv-00099 (S.D. Tex.). The State Defendants' counsel will likely be unable to attend both conferences if Your Honor is requiring an in-person appearance. This other conference should not be an issue if I am allowed to appear telephonically.

Third, due largely to the recent closure of the Office of Attorney General's offices, I am currently sharing a car with my wife, a doctor, who needs the vehicle to get to work. This makes getting to the Court's hearing particularly difficult, especially with the COVID-19 issues and restrictions regarding other means of travel.

Thus, I respectfully request the Court's leave to attend tomorrow's hearing via telephone.

¹ See ECF 6.

Date: July 14, 2020

Respectfully submitted.

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Counsel for State Defendants

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was sent to counsel of record via CM/ECF notification on July 14, 2020:

/s/ Todd Dickerson
Todd Dickerson

CERTIFICATE OF CONFERENCE

I hereby certify that on July 14, 2020, I conferred with counsel for Plaintiffs (Jared Woodfill) and counsel for Mayor Sylvester Turner and Houston First Corporation (Leah Homan and Suzanne R. Chauvin) who consented to this request.

/s/ Todd Dickerson
Todd Dickerson